REMARKS/ARGUMENTS

Claims 1-3, 5-19, 21-35, and 46-58 were pending in this application when last examined by the Examiner. Claims 1, 8-11, 15-17, 21, 33, 46, 49, 53-54, and 57-58 have been amended. Claims 59-63 have been added. Claim 7 has been cancelled. The amendments find full support in the original specification, claims, and drawings. No new matter has been added. In view of the above amendments and remarks that follow, reconsideration and an early indication of allowance of the now-pending claims 1-3, 5-6, 8-19, 21-35, and 46-63 are respectfully requested.

Claims 1-35 and 46-56 are rejected under 35 U.S.C. 102(e) as being anticipated by Walker et al. (U.S. Patent No. 6,263,505B1). Applicant respectfully traverses this rejection.

Claim 1, as amended, now recites that "the program content and the episode content are downloaded to the client before the beginning of the particular television episode," and that "during the particular television episode the client receiv[es] from the server over the data communications network a particular one of the messages associated with at least one of the downloaded ITV components related to the particular television episode, the particular message being received separately from the at least one of the downloaded ITV components, the particular message including a message type identifier identifying a category of ITV content triggered via the particular message," for "displaying the at least one of the downloaded ITV components on the display in response to receipt of the particular message and based on the category of ITV content identified in the particular message." (Emphasis added). Walker fails to teach or suggest these limitations.

Walker discloses a web site server that provides supplemental information in the form of web pages in a manner that is synchronized with the action and events of a video program. (See, Col. 7, lines 25-31 and 55-58). In order to achieve this, a person viewing the video program enters the Internet address of a web site to be accessed, and further manually enters the program ID information and synchronization information that allows the web site server to access the relevant supplemental information for the video program. (See, Col. 7, lines 34-37 and 49-55). Nothing in this embodiment of Walker teaches or suggests, however, that Walker's web pages

are "downloaded to the client before the beginning of a particular television episode" to then be displayed based on a "message" received "from the server over the data communications network" "during the particular television episode," where the "message" is "received separately from the at least one of the downloaded ITV components," and which "message" further includes "a message type identifier identifying a category of ITV content triggered via the particular message." Any HTML formatting tags of a web page are not "received separately" from the web pages that are to be displayed, and further do not identify "a category of ITV content triggered via the particular message."

Walker describes as a second embodiment a system that integrates the functions of a television receiver and the personal computer. (See, FIG. 3). According to this embodiment, supplemental information may be stored in a simulcast event database 56a or available on a CD-ROM. (See, Col. 9, line 65 - Col. 10, line 10). However, even according to this embodiment, the retrieval and display of the supplemental information is based on the program identification information that is entered by the viewer of the program. (See, Col. 10, lines 51-55). The later synchronizations also occur based on a locally executed computer application. (See Col. 10 lines 27-29 and 51-64). Accordingly, the second embodiment of Walker also fails to teach or suggest the claimed "message" that is transmitted by a "server over the data communications network," and the method of using such "message" for displaying downloaded ITV components, that are now claimed in claim 1. Accordingly, claim 1 is now in condition for allowance.

Independent claims 17, 46, and 49 include limitations that are similar to the limitations of claim 1 which make claim 1 allowable. Accordingly, claims 17, 46, and 49 are also in condition for allowance for reasons similar to the reasons discussed above with respect to claim 1.

Claims 2-3, 5-6, 8-16, 18-19, 21-35, 47-48, and 50-58 are also in condition for allowance because they depend on an allowable base claim, and for the additional limitations that they contain.

Claims 59-63 are new in this application. Claims 59-63 are in condition for allowance because they depend on an allowable base claim and for the additional limitations that they contain. Specifically, claim 59 adds the limitation that "the message type identifier identifies the

at least one of the downloaded ITV components triggered via the message as being one of trivia, poll, and advertisement." Support for this limitation may be found on page 10, par. 3 - page 12, 1st par. of Applicant's specification. As Walker fails to teach or suggest the claimed "message," it cannot teach or suggest the specifics of "the message type identifier" as recited in claim 59. Accordingly, claim 59 is also in condition for allowance for its added limitations.

Claim 60 adds the limitation that "the one of the downloaded ITV components is dynamically selected for display during the particular television episode." Claim 60 further requires "generating the message by an ITV directing device, the message identifying the dynamically selected ITV component; and transmitting the generated message to the server by the ITV directing device." (Emphasis added). Support for these limitations may be found on page 2, last par. - page 3, 1st par. of Applicant's specification. Walker fails to teach or suggest these limitations. Accordingly, claim 60 is also in condition for allowance for its added limitations.

Claim 61 requires that "the particular message is received after the downloading of the corresponding ITV component, and prompts display of the downloaded corresponding ITV component." Support for this limitation may be found on page 11, last par. of Applicant's specification. Walker fails to teach or suggest this limitation. Accordingly, claim 61 is also in condition for allowance for its added limitation.

Claim 62 adds limitations similar to the limitations that have now been canceled from claim 1, except that claim 62 further requires that "the second message" include "a second message type identifier identifying a second category of ITV components triggered via the message," as well as "dynamically selected ITV content for display by the client." Support for these limitations may be found on page 10, last par. - page 11, first par. of Applicant's specification. Walker fails to teach or suggest these limitations. Accordingly, claim 62 is also in condition for allowance for its added limitations.

Claim 63 further adds the limitation of "generating the second message by an ITV directing device, the second message identifying the dynamically selected ITV content; and transmitting the generated second message to the server by the ITV directing device," which is
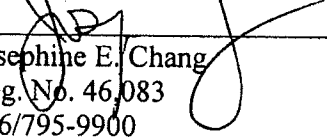
not taught nor suggested by Walker. Accordingly, claim 63 is also in condition for allowance for its added limitations.

In view of the above amendments and remarks, reconsideration and an early indication of allowance of the now-pending claims 1-3, 5-6, 8-19, 21-35, and 46-63 are respectfully requested.

Applicant submits herewith a copy of a Substitution of Attorney signed by the Assignee of this application which was mailed to the USPTO on December 19, 2006. As requested in that document and in prior Amendments submitted by the Applicant, <u>please direct all future communication to the undersigned at the address indicated therein</u>. Applicant also requests the Examiner to contact the undersigned at the number indicated below resolve any remaining issues that may be addressed over the telephone.

Respectfully submitted,

CHRISTIE, PARKER & HALE, LLP

By _____
Josephine E. Chang
Reg. No. 46,083
626/795-9900

Encl.   Substitution of Attorney
JEC/lal

LAL PAS817171.1-*-10/24/08 11:58 AM